

Boggy Creek Improvement District

3501 Quadrangle Boulevard, Suite 270, Orlando, FL 32817; Phone: 407-723-5900

www.boggycreekid.org

The following is the proposed agenda for the upcoming Meeting of the Board of Supervisors for the Boggy Creek Improvement District ("District"), scheduled to be held at **3:00 p.m. on Tuesday, February 20, 2024, at 6900 Tavistock Lakes Blvd. Ste 200, Orlando, FL 32827**. A quorum will be confirmed prior to the start of the meeting.

District Staff, please use the following information to join via computer or the conference line:

Phone: 1-844-621-3956

Computer: pfmccd.webex.com

Participant Code: 2531 126 0013#

BOARD OF SUPERVISORS' MEETING AGENDA

Organizational Matters

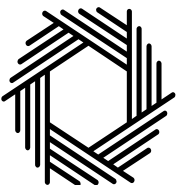
- Roll Call to Confirm a Quorum
- Public Comment Period
- 1. **Consideration of the Minutes of the December 12, 2023, Board of Supervisors' Meeting**
- 2. **Consideration of Resolution 2024-01, Designating Authorized Signatories for the District's Bank Account(s)**
- 3. **Consideration of Resolution 2024-02, Election of Officers**
- 4. **Consideration of Resolution 2024-03, Adopting Underwriter Services Selection Policy**

Business Matters

- 5. **Consideration of RFP for District Interchange Landscaping & Common Area Maintenance**
- 6. **Ratification of Operation and Maintenance Expenditures Paid in December 2023 in an amount totaling \$29,380.51**
- 7. **Ratification of Operation and Maintenance Expenditures Paid in January 2024 in an amount totaling \$94,681.65 (provided under separate cover)**
- 8. **Ratification of Requisition No. 432 – 435 Paid in December 2023 in an amount totaling \$22,231.93**
- 9. **Ratification of Requisition No. 436 – 437 Paid in January 2024 in an amount totaling \$20,019.76 (provided under separate cover)**
- 10. **Recommendation of Work Authorizations/Proposed Services (if applicable)**
- 11. **Review of District's Financial Position and Budget to Actual YTD (provided under separate cover)**

Other Business

- A. Staff Reports
 - 1. District Counsel
 - 2. District Manager
 - 3. District Engineer
 - 4. Landscape Supervisor
 - 5. Irrigation Supervisor
 - 6. Construction Supervisor
- B. Supervisor Requests



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Adjournment



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BOGGY CREEK IMPROVEMENT DISTRICT

**Minutes of the December 12, 2023,
Board of Supervisors' Meeting**

**BOGGY CREEK IMPROVEMENT DISTRICT
BOARD OF SUPERVISORS' MEETING MINUTES**

FIRST ORDER OF BUSINESS

Roll Call to Confirm Quorum

The Board of Supervisors' Meeting for the Boggy Creek Improvement District was called to order on Tuesday, December 12, 2023, at 3:00 p.m. at 6900 Tavistock Lakes Blvd. Ste 200, Orlando, FL 32827.

Present:

Richard Levey	Chairperson
Damon Ventura	Vice Chairperson
Julie Salvo	Assistant Secretary
Chad Tinetti	Assistant Secretary

Also attending:

Jennifer Walden	PFM	
Lynne Mullins	PFM	
Jorge Jimenez	PFM	(via phone @ 3:04 pm)
Amanda Lane	PFM	(via phone)
Tucker Mackie	Kutak Rock	
Jeffrey Newton	Donald W. McIntosh Associates, Inc.	
Greg Platt	Donald W. McIntosh Associates, Inc.	
Samantha Sharenow	Berman	(via phone)
Chris Wilson	Tavistock	
Dan Young	Tavistock	
DJ Batten	Berman	

SECOND ORDER OF BUSINESS

Public Comment Period

Dr. Levey called for public comments. He noted there were no public comments.

THIRD ORDER OF BUSINESS

**Consideration of the Minutes of the
October 17, 2023, Board of
Supervisors' Meeting**

The Board reviewed the minutes of the October 17, 2023, Board of Supervisors' Meeting.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the Minutes of the October 17, 2023, Board of Supervisors' Meeting.

FOURTH ORDER OF BUSINESS

**Notice of Construction Committee
Member Resignation**

Ms. Walden stated the resignation letter from Mr. McDermott is included in the agenda packet. She noted at this time there is no recommendation from the team for replacement, but once there is, the nomination will be brought before the Board.

FIFTH ORDER OF BUSINESS

**Consideration of License Agreement
for Cypress Plantings**

Ms. Mackie stated that included in the agenda package is a License Agreement between the District and Lake Nona Land Company for providing certain cypress plantings within the District owned Interchange ponds, specifically the ones to the South of the Interchange. This license agreement would provide for the continuing maintenance obligation to be on Lake Nona Land Company and provides for continuing access and certain provisions relating to revocation and termination.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District approved the License Agreement for Cypress Plantings.

SIXTH ORDER OF BUSINESS

**Ratification of Non-Ad Valorem
Assessment Administration
Agreement**

Ms. Walden stated this this is the standard agreement that the District enters every year with the Property Appraiser so the District can go on roll. She noted the Chair executed this outside of a meeting.

On motion by Ms. Salvo, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Non-Ad Valorem Assessment Administration Agreement.

SEVENTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures Paid in
October 2023 in an amount totaling
\$158,950.12**

Dr. Levey noted that these expenditures have been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in October 2023 in an amount totaling \$158,950.12.

EIGHTH ORDER OF BUSINESS

**Ratification of Operation and
Maintenance Expenditures Paid in
November 2023 in an amount totaling
\$90,463.10**

Dr. Levey noted that these expenditures have been approved and need to be ratified by the Board.

On motion by Mr. Ventura, seconded by Mr. Tinetti, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified the Operation and Maintenance Expenditures Paid in November 2023 in an amount totaling \$90,463.10.

NINTH ORDER OF BUSINESS

Ratification of Requisition No. 426 – 430 Paid in October 2023 in an amount totaling \$26,325.45

The Board reviewed Requisition No. 426 – 430.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition No. 426 – 430 Paid in October 2023 in an amount totaling \$26,325.45.

TENTH ORDER OF BUSINESS

Ratification of Requisition No. 431 Paid in November 2023 in an amount totaling \$3,616.25

The Board reviewed Requisition No. 431.

On motion by Mr. Ventura, seconded by Ms. Salvo, with all in favor, the Board of Supervisors for the Boggy Creek Improvement District ratified Requisition No. 431 Paid in November 2023 in an amount totaling \$3,616.25.

ELEVENTH ORDER OF BUSINESS

Recommendation of Work Authorizations/Proposed Services

Ms. Walden stated there were no Work Authorizations.

TWELFTH ORDER OF BUSINESS

Review of District’s Financial Position and Budget to Actual YTD

Ms. Walden stated through November the District has expenses of just under \$137,000.00 versus an overall budget of \$1,744,000.00 which equates to spending approximately 8% of the budget so far.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

District Counsel –

Ms. Mackie informed the Board that they will be receiving email correspondence from her firm as it relates to ethics training, which will be available to take online. Additionally, the Board Members will need to

check a box on their Form 1 notating that they have taken the required training.

- District Manager – Ms. Walden noted the next Board meeting is Tuesday, January 16, 2023.
- District Engineer – Mr. Newton introduced the Board to Greg Platt with his firm. He will be assisting Mr. Newton with CDD items.
- Landscape Supervisor – No report.
- Irrigation Supervisor – No report.
- Construction Supervisor – No report.

FOURTEENTH ORDER OF BUSINESS

Supervisor Requests

There were no Supervisor requests.

FIFTEENTH ORDER OF BUSINESS

Adjournment

Dr. Levey requested a motion to adjourn.

On motion by Ms. Salvo, seconded by Mr. Ventura, with all in favor, the December 12, 2023, Meeting of the Board of Supervisors for the Boggy Creek Improvement District was adjourned.

Secretary/Assistant Secretary

Chair/Vice Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2024-01,
Designating Authorized Signatories for the
District's Bank Account(s)**

RESOLUTION 2024-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT AUTHORIZING THE DISTRICT MANAGER TO DESIGNATE THE AUTHORIZED SIGNATORIES FOR THE DISTRICT'S OPERATING BANK ACCOUNT(S); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Boggy Creek Improvement District ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, and Situated entirely within Orange County, Florida; and

WHEREAS, the Board of Supervisors of the District ("Board") has selected a depository as defined in Section 280.02, Florida Statutes, which meets all the requirements of Chapter 280 and has been designated by the State Chief Financial Officer as a qualified public depository; and

WHEREAS, the Board desires now to authorize signatories for the operating bank accounts(s).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

Section 1. The Chairperson, Vice Chairperson, Secretary, Assistant Secretaries, Treasurer and Assistant Treasurers are hereby designated as authorized signatories for the operating bank account(s) of the District.

Section 2. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 20th DAY of February 2024.

ATTEST:

**BOGGY CREEK
IMPROVEMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice-Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2024-02,
Election of Officers**

RESOLUTION 2024-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT ELECTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the **BOGGY CREEK IMPROVEMENT DISTRICT** (hereinafter the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to elect the Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

- Section 1. Richard Levey is elected Chair.
- Section 2. Damon Ventura is elected Vice Chair.
- Section 3. Jennifer Walden is elected Secretary.
- Section 4. Lynne Mullins is elected Assistant Secretary.

Chad Tinetti is elected Assistant Secretary.

Thad Czapka is elected Assistant Secretary.

Julie Salvo is elected Assistant Secretary.
- Section 5. Jennifer Glasgow is elected Treasurer.
- Section 6. Amanda Lane is elected Assistant Treasurer.

Amy Champagne is elected Assistant Treasurer.

Rick Montejano is elected Assistant Treasurer.

Verona Griffith is elected Assistant Treasurer.
- Section 7. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.
- Section 8. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS 20th DAY of February 2024.

ATTEST: **BOGGY CREEK
IMPROVEMENT DISTRICT**

Secretary/Assistant Secretary _____
Chair/Vice-Chair

BOGGY CREEK IMPROVEMENT DISTRICT

**Resolution 2024-03,
Adopting Underwriter Services Selection Policy**

RESOLUTION 2024-03

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT ADOPTING AN UNDERWRITING SERVICES SELECTION POLICY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boggy Creek Improvement District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Orlando, Florida; and

WHEREAS, Chapters 190 *Florida Statutes*, authorize the District to adopt rules and policies to govern the administration of the District; and

WHEREAS, the District was created for the purpose of financing and managing the acquisition, construction, installation, maintenance, and operation of community development facilities, services, and improvements within and without the boundaries of the District; and

WHEREAS, the District has previously indicated its intention to undertake, install, establish, construct, or acquire certain public infrastructure improvements and to finance such public infrastructure improvements through the issuance of bonds; and

WHEREAS, in connection with the sale and issuance of such bonds, the District may employ the services of firms providing underwriting services in structuring and delivering bonds; and

WHEREAS, pursuant to section 190.033(3), *Florida Statutes*, certain contractual services, including underwriting services, are not subject to competitive purchasing requirements; however, the District desires to adopt this Policy to support economical and efficient operations of the District; and

WHEREAS, the District desires to adopt by resolution the Underwriting Services Selection Policy attached hereto as **Exhibit A** and hereby determines that adoption of such is in the best interests of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT:

SECTION 1. The attached Underwriting Services Policy attached hereto as **Exhibit A** is hereby adopted pursuant to this Resolution.

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED THIS 20th DAY OF FEBRUARY, 2024.

ATTEST:

BOGGY CREEK IMPROVEMENT DISTRICT

Secretary/Assistant Secretary

Chairperson, Board of Supervisors

EXHIBIT "A"

BOGGY CREEK IMPROVEMENT DISTRICT UNDERWRITING SERVICES SELECTION POLICY

A. Purpose.

1. The purpose of this policy is to establish procedures for the selection of a firm to provide Underwriting Services in connection with the offering of Bonds for the Boggy Creek Improvement District as such terms are defined herein.
2. Pursuant to section 190.033(3), *Florida Statutes*, contractual services, including Underwriting Services, are not subject to competitive purchasing requirements. However, the District desires to adopt this Policy to support economical and efficient operations of the District. Regardless of the procedure used by the District under this Policy for selection of a firm to provide Underwriting Services, no rights or remedies under this Policy, including but not limited to protest rights, are conferred on persons, firms, or vendors proposing to provide Underwriting Services to the District.

B. Definitions.

1. "Board" means the Board of Supervisors for the District.
2. "Bonds" means bonds issued by the District pursuant to Chapter 190, *Florida Statutes*, the maturity of which is greater than five (5) years.
3. "District" means the Boggy Creek Improvement District.
4. "District Management" means (i) the independent contractor (and its employees) retained by the District to provide professional district management services to the District and (ii) any other independent contractor (and its employees) separately retained by the District to provide amenity management services, provided said services include a responsibility to safeguard and protect Assets.
5. "Sister Districts" means the Greenway Improvement District, the Midtown Improvement District, the Myrtle Creek Improvement District, and the Poitras East Community Development District.
6. "Underwriting Services" means at a minimum, the following services to be provided to the District with respect to a specific Bond issuance and/or under a continuing basis:
 - (a) Advice to the District on the structure, timing and terms of the Bonds;
 - (b) Assistance with coordination of the financing process
 - (c) Performance of due diligence
 - (d) Assistance with the preparation of an offering memorandum
 - (e) Review of the District's assessment and Bond documents
 - (f) Marking and offering of Bonds to investors

C. Procedure Regarding Underwriting Services Selection.

1. Request for Proposals.

- (a) When Underwriting Services are desired with respect to a specific Bond issuance and/or under a continuing basis, the Board may cause to be prepared a Request for Proposals (“RFP”).
- (b) District Management shall make a good faith effort to provide written notice, including by electronic mail, of the RFP to at least three (3) firms who provide Underwriting Services. The notice is not required to be published in a newspaper, a publicly accessible website, or by any other means. The RFP shall request written qualifications from firms interested in providing Underwriting Services to the District. The RFP shall state the time and place for submitting proposals.
- (c) The District will evaluate timely submitted proposals during a publicly held meeting. The Board may conduct discussions with, and may require public presentation by, firms regarding their Proposal. The District will select the firm that submitted a proposal that best meets the overall needs of the District. Factors and qualifications that may be considered by the Board in its evaluation include, but are not limited to, all or a portion of the following:
 - i. Compensation structures including: management fee, underwriting fee, expenses, and take-down (commission).
 - ii. Relevant experience and analytic capability of the firm and the individuals assigned to the issuer, and experience of the individual in charge of day-to-day management of the bond sale, including both the investment banker(s) and the underwriter(s).
 - iii. The firm's bond distribution capabilities and firm's ability to access both retail and institutional investors should be described.
 - iv. The firm’s participation in the District’s recent bond sales or the bond sales of other issuers in the same state, including any Sister District or other governmental entity in the state, if any.
 - v. Analytic capability of the firm and assigned investment banker(s).
 - vi. Access to sources of current market information to provide bond pricing data before, during and after the sale.
 - vii. The amount of uncommitted capital available and the ability and willingness of the firm to purchase the entire offering of the issuer, if necessary, in the case of a firm underwriting.
- (d) Simultaneously with the review of the submitted Proposals, the District may undertake negotiations with those firms that have submitted reasonable and timely Proposals and, in the opinion of the District, are fully qualified and capable of meeting all services and requirements.
- (e) Notice of the intent to award, including rejection of some or all Proposals, shall be provided in writing to all proposers by United States Mail or via electronic mail.
- (f) The District may maintain a list of firms interested in receiving notices of Requests for Proposals for Underwriting Services. The District shall make reasonable efforts to provide copies of any notices to such firms, but the failure to do so shall not give such

firms any protest or other rights or otherwise disqualify any otherwise valid selection process.

- (g) If only one (1) Proposal is received in response to an RFP, the District may proceed with the Proposal. If no Proposals are received, the District may take whatever steps are reasonably necessary in order to proceed with the selection of a firm to provide Underwriting Services. Nothing in this Policy shall prevent the District from evaluating and eventually selecting a firm if less than three (3) Proposals are received.
- (h) The Board has the right to reject any and all Proposals and such reservations shall be included in all Requests for Proposals and notices.

2. Exemptions. The selection of a firm to provide Underwriting Services to the District is exempt from this Policy when:

- (a) the District selects a firm that it has previously selected in a manner consistent with the procedures of this Policy and the Board determines it is in the best interests of the District to do so;
- (b) the District selects a firm that any Sister District or other governmental entity has previously selected in a manner consistent with the procedures of this Policy and the Board determines it is in the best interests of the District to do so;
- (c) the District selects a firm that it has previously selected to provide Underwriting Services and the Board determines it is in the best interests of the District to do so; or
- (d) the District selects a firm in any other manner that the Board determines is in the best interest of the District, which may include a direct negotiation and selection without a competitive selection process.

Specific Authority: §§ 190.011(3), (5) and (9); 190.033(3), *Florida Statutes*

Effective date: _____, 2024

BOGGY CREEK IMPROVEMENT DISTRICT

**RFP for District Interchange
Landscaping & Common Area Maintenance**

**BOGGY CREEK IMPROVEMENT DISTRICT
REQUEST FOR PROPOSALS FOR
Landscaping, Common Areas, & Irrigation Maintenance Services
State Road 417 (Central Florida Greenway) & Lake Nona Boulevard Interchange
Orange County, Florida
AND
NOTICE OF PUBLIC MEETING TO OPEN RFP RESPONSES**

Boggy Creek Improvement District, the Owner, announces that Landscaping, Common Areas, and Irrigation Maintenance Services will be required for the project listed below:

PROJECT: State Road 417 (Central Florida Greenway) & Lake Nona Boulevard Interchange
Landscaping, Common Areas, & Irrigation Maintenance Services Agreement Request for Proposal

The contract for landscaping, common areas, and irrigation maintenance services will consist of maintenance of turf, trees, shrubs and ground cover, open areas, hardscape and irrigation as well as trash removal through certain distinct areas of maintenance as more specifically set forth in the Request for Proposal.

The Request for Proposal will be available electronically beginning **Monday, _____, 2024 at 10:00 a.m.** from PFM Group Consulting LLC, located at 3501 Quadrangle Blvd., Suite 270, Orlando, Florida 32817 (407-723-5900) at no cost. Contact is Jennifer Walden, District Manager, at waldenj@pfm.com.

A mandatory pre-proposal conference will be held on this project on _____, _____, **2024 at 10:00 a.m.** (EST) through virtual means by calling 1-844-621-3956 or logging in via the computer at _____ and entering code _____. The pre-proposal conference may include, but not be limited to, a discussion of contract requirements, inspections, evaluations, and submittal requirements and may involve a site visit to inspect existing conditions and the areas to be maintained.

Ranking of proposers will be made on the basis of qualifications according to the Evaluation Criteria contained within the Request for Proposal. The Successful proposer(s) will be required to furnish a performance bond in the amount of 25% of the total amount of the first full year's proposal. The District has the right to reject any and all proposals if it determines, at its sole discretion, such rejection is in the best interest of the District. Any proposer who wishes to protest the scope of work and selection criteria shall file with the District a written notice of protest within seventy-two (72) hours after receipt of the proposed project plans and specifications or other contract documents, and shall file a formal written protest with the District within seven (7) calendar days after the date of timely filing the initial notice of protest. Filing will be perfected and deemed to have occurred upon receipt by the District Manager, PFM Group Consulting LLC, located at 3501 Quadrangle Blvd., Suite 270, Orlando, Florida 32817. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object to or protest the contents of the Request for Proposal. The formal written protest shall state with particularity the facts and law upon which the protest is based. Any and all questions relative to this project shall be directed in writing only to PFM Group Consulting LLC, Jennifer Walden District Manager, PFM Group Consulting LLC, 3501 Quadrangle Blvd., Suite 270, Orlando, FL 32817, via facsimile 407-723-5901 or e-mail at waldenj@pfm.com, no later than _____, _____, **2024 at 5:00 p.m.**

Firms desiring to provide services for this project must submit four (4) bound copies of the required proposal section(s) and one electronic copy of the required proposal section(s) no later than ____:00 a.m. on _____, _____, **2024** at the offices of PFM Group Consulting LLC, located at 3501 Quadrangle Blvd., Suite 270, Orlando, FL 32817, and Attention: Jennifer Walden, District Manager. Additionally, as further described in the Request for Proposal, each proposer shall supply a bid bond or cashier's check in the sum equal to five percent (5%) of the total amount of the first full year's proposal. Proposals shall be submitted in a sealed package, shall bear the name of the proposer on the outside of the package, and shall identify the name of the project. Proposals will be opened at the time and date stipulated above; those received after the time and date stipulated above will be returned un-opened to the proposer. Any proposal not completed as specified or missing the required proposal documents may be disqualified.

Notice of Public Meeting to Open RFP Responses

A meeting will be held on _____, _____, 2024 at _____ a.m. at 3501 Quadrangle Blvd., Suite 197, Orlando, FL 32817. No official action of the District's Board will be taken at this meeting, it is held for the limited purpose of opening the RFP responses. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. This meeting may be continued to a date, time, and place to be specified on the record at the meeting. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at 407-723-5900 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Boggy Creek Improvement District Jennifer Walden, District Manager
Run Date(s): Sunday, _____, 2024 and Sunday, _____, 2024

Boggy Creek Improvement District Evaluation Criteria

1. Technical Capability (30 points)

Considerations here include the geographic locations of the firm's office(s) in relation to the project; adequacy of equipment to perform the work in a high quality manner; adequacy and capabilities of labor available to perform the work according to the specifications; qualifications, training, and licenses/certifications of key personnel; evaluation of existing and future workload; the volume of work previously awarded to the firm; proposed detailed staffing levels, etc.

2. Experience (30 points)

The proposer's past record and experience in similar projects will be considered. Additional factors may include past performance on other projects, record and experience working for the references provided, observation of similar sites maintained by the firm, character, integrity, and reputation of respondent, etc.

3. Understanding of Scope of Work (10 points)

Points will be awarded based on the proposer's demonstrated understanding of the District's needs for the services requested and the level of detail provided in the proposal.

4. Price (30 points)

Points will be awarded to the proposer submitting the lowest total proposal for completing the work. All other proposals will receive a percentage of this amount based upon the difference between that proposer's proposal and the low proposal.

Total Points Possible (100 points)

**The award of the contract is subject to the approval of the Central Florida Expressway Authority ("CFX", as lands to be maintained include improvements within the CFX right-of-way).*

BOGGY CREEK IMPROVEMENT DISTRICT

**Operation and Maintenance Expenditures Paid
in December 2023 in an amount totaling \$29,380.51**

BOGGY CREEK IMPROVEMENT DISTRICT

DISTRICT OFFICE • 3501 QUADRANGLE BLVD STE 270 • ORLANDO, FL 32817
PHONE: (407) 723-5900 • FAX: (407) 723-5901

Operation and Maintenance Expenditures For Board Approval

Attached please find the check register listing Operations and Maintenance expenditures paid from December 1, 2023 through December 31, 2023. This does not include expenditures previously approved by the Board.

The total items being presented: **\$29,380.51**

Approval of Expenditures:

____ Chairman

____ Vice Chairman

____ Assistant Secretary

Boggy Creek Improvement District

AP Check Register (Current by Bank)

Check Dates: 12/1/2023 to 12/31/2023

Check No. Date Status* Vendor ID Payee Name Amount

GRAND TOTAL :

-	No checks cut in December
9,567.59	PA 616 - OUC invoice paid online
19,812.92	FR 58 - BEEP payment
29,380.51	O&M Cash Spent

* Check Status Types: "P" - Printed ; "M" - Manual ; "V" - Void (Void Date); "A" - Application; "E" - EFT

** Denotes broken check sequence.

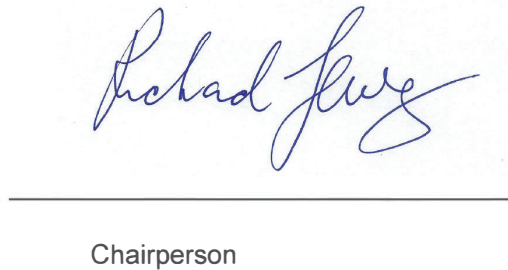
BOGGY CREEK IMPROVEMENT DISTRICT

Payment Authorization #616

3

Item No.	Payee	Invoice Number	General Fund
1	erman onstruction Pressure Wash Walls and Monument	41689	\$ 4,200.00
2	Donald W McIntosh ssociates Engineering Services Through 3	45126	\$ 87.50
3	Kutak Rock General Counsel Through 30/2023	3328006	\$,500.50
4	Orlando Sentinel Legal Advertising on 12/04/2023 (Ad: 7539887)	OSC84314569	\$ 5.68
5	OUC Acct: 2562183178 ; Service 11/01/2023 - 3	--	\$ 9,567.59
TOTAL			\$ 15,671.27


Secretary/Assistant Secretary


Chairperson

Boggy Creek Improvement District
c/o PFM Group Consulting
501 Quadrangle Boulevard, Ste. 70
Orlando, FL 817
LaneA@pfm.com // (407) 723-5925

RECEIVED
By Amanda Lane at 9:06 am, Jan 08, 2024

Daniel J. Young

Digitally signed by Daniel J. Young
DN: c=US,
E=dan.young@tavistock.com,
O=Tavistock Development Co.,
CN=Daniel J. Young
Date: 01.08.2024
14:09:53-0500

BOGGY CREEK IMPROVEMENT DISTRICT

Funding Request #058

11/3/2023

Item No.	Payee	Invoice Number	General Fund	Fiscal Year
1	BEEP Shuttle Services Provided - 2 Vans	462	\$ 19,812.92	FY 2024
TOTAL			\$ 19,812.92	

BOGGY CREEK IMPROVEMENT DISTRICT

**Operation and Maintenance Expenditures Paid
in January 2024 in an amount totaling \$94,681.65**
(provided under separate cover)

BOGGY CREEK IMPROVEMENT DISTRICT

Requisition No. 432 – 435

Paid in December 2023 in an amount totaling \$22,231.93

BOGGY CREEK IMPROVEMENT DISTRICT

DISTRICT OFFICE • 3501 QUADRANGLE BLVD STE 270 • ORLANDO, FL 32817
PHONE: (407) 723-5900 • FAX: (407) 723-5901

Requisition Recap For Board Approval

Attached please find the listing of requisitions approved to be paid from bond funds from December 1, 2023 through December 31, 2023. This does not include requisitions previously approved by the Board.

REQUISITION NO.	PAYEE	AMOUNT
2013-432	Donald W. McIntosh Associates	\$15,699.75
2013-433	Jr. Davis Construction Company	\$3,804.00
2013-434	Orlando Sentinel	\$238.18
2013-435	Professional Service Industries	\$2,490.00
		\$22,231.93

EXHIBIT "A"
FORM OF REQUISITION

The undersigned, an Authorized Officer of Boggy Creek Improvement District (the "District") hereby submits the following requisition for disbursement under and pursuant to the terms of the Master Trust Indenture from the District to U. S. Bank National Association as trustee (the "Trustee"), dated as of December 1, 2010 (the "Master Indenture"), as amended and supplemented by the Second Supplemental Indenture from the District to the Trustee, dated as of April 1, 2013 (the Master Indenture as amended and supplemented is hereinafter referred to as the "Indenture") (all capitalized terms used herein shall have the meaning ascribed to such term in the Indenture);

(A) **Requisition Number:** 432

(B) **Name of Payee:** Donald W. McIntosh Associates

(C) **Amount Payable:** \$15,699.75

(D) **Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable):**

1. Invoice 45010 for Project 23218 (Lake Nona Boggy Creek) Through 11/03/2023 – **\$356.25**
2. Invoice 45014 for Project 22542 (Lake Nona South Lift Station No. 9 and 6,000 LF of 10" Force Main) Through 11/03/2023 – **\$15,343.50**

(E) **Fund or Account and subaccount, if any, from which disbursement to be made:** 2013 Acquisition and Construction Account of the Acquisition and Construction Fund.

The undersigned hereby certifies that obligations in the stated amount set forth above have been incurred by the District, that each disbursement set forth above is a proper charge against the Acquisition and Construction Account, that each disbursement set forth above was incurred in connection with the acquisition and construction of the Project and each represents a Cost of the Project, and has not previously been paid.

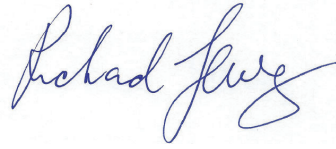
The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such requisition contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

No event has occurred and is continuing which constitutes an Event of Default, as defined by the Master Indenture, or would constitute an Event of Default but for the requirement that notice be given or time elapse or both.

Attached hereto are originals of the invoice(s) from the vendor of the property acquired or services rendered with respect to which disbursement is hereby requested.

Boggy Creek Improvement District



Authorized Officer

CONSULTING ENGINEER'S APPROVAL FOR
NON-COST OF ISSUANCE AND
CAPITALIZED INTEREST REQUESTS ONLY

The undersigned Consulting Engineer hereby certifies that this disbursement is for a Cost of-the Project and is consistent with: (i) the applicable acquisition or construction contract; (ii) the plans and specifications for the portion of the Project with respect to which such disbursement is being made; and, (ii) the report of the District Engineer as such report shall have been amended or modified on the date hereof.



Authorized Officer Jeffrey J. Newton, PE

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(A) **Requisition Number:** 433

(B) **Name of Payee:** Jr. Davis Construction Company

(C) **Amount Payable:** \$3,804.00

(D) **Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable):**

1. Invoice 1204307 (Retainage) for SIMCOM Sidewalk Through 11/30/2023

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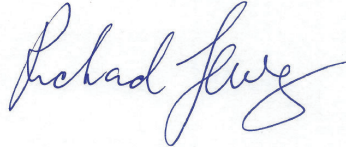
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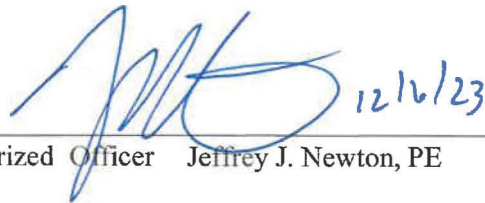
Boggy Creek Improvement District



Authorized Officer

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(A) **Requisition Number:** 434

(B) **Name of Payee:** Orlando Sentinel

(C) **Amount Payable:** \$238.18

(D) **Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable):**

1. Invoice 83945445000 for Reference OSC83945445 (Ad #7534378) for Construction Legal Advertising of FY 2024 Construction Committee Meetings (Split Five Ways, Will Be Reimbursed From GID, MCID, PE, MID)

(E) **Fund or Account and subaccount, if any, from which disbursement to be made:** 2013 Acquisition and Construction Account of the Acquisition and Construction Fund.

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RECEIVED

By Amanda Lane at 10:14 am, Dec 15, 2023

Attached hereto are originals of the invoice(s) from the vendor of the property acquired or services rendered with respect to which disbursement is hereby requested.

Boggy Creek Improvement District



Authorized Officer

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Authorized Officer Jeffrey J. Newton, PE

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(A) **Requisition Number:** 435

(B) **Name of Payee:** Professional Service Industries

(C) **Amount Payable:** \$2,490.00

(D) **Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments, or, state Costs of Issuance, if applicable):**

1. Invoice 905196 for Project 07572843 (Lift Station 9 Force Main Additional Borings-Lake Nona South) through 11/30/2023

(E) **Fund or Account and subaccount, if any, from which disbursement to be made:** 2013 Acquisition and Construction Account of the Acquisition and Construction Fund.

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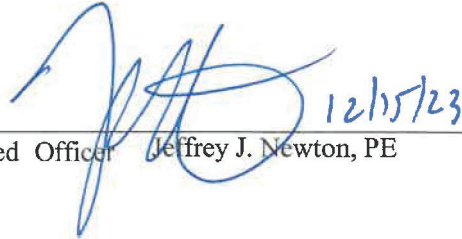
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Authorized Officer Jeffrey J. Newton, PE

BOGGY CREEK IMPROVEMENT DISTRICT

Requisition No. 436 – 437

Paid in January 2024 in an amount totaling \$20,019.76

(provided under separate cover)

BOGGY CREEK IMPROVEMENT DISTRICT

Work Authorizations/Proposed Services
(if applicable)

WORK AUTHORIZATION FOR MAINTENANCE SERVICES

This Work Authorization (the "Work Authorization"), dated _____, 2024 authorizes certain work in accordance with that certain *AGREEMENT BETWEEN THE BOGGY CREEK IMPROVEMENT DISTRICT AND BERMAN CONSTRUCTION, LLC FOR GENERAL MAINTENANCE SERVICES* (the "Agreement"), dated August 18, 2020, by and between:

Boggy Creek Improvement District, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in the City of Orlando, Florida, and whose mailing address is 3501 Quadrangle Boulevard, Suite 270, Orlando, Florida 32817 (the "District"); and

Berman Construction, LLC, a Florida limited liability company, with a mailing address of 9801 Lake Nona Club Drive, Orlando, Florida 32827 (hereinafter "Contractor", together with District the "Parties").

Section 1. Scope of Services. Contractor shall provide _____ maintenance services, as set forth in the attached **Exhibit A**, which is incorporated herein by reference, all in accordance with the terms of the Agreement (collectively, the "Services").

Section 2. Compensation and Term. It is understood and agreed that the payment of compensation for the Services under this Work Authorization shall be in the amount and for the term set forth in the attached **Exhibit A**, and in the manner set forth in the Agreement.

Section 3. Acceptance. Acceptance of this Work Authorization will authorize the Contractor to complete the Services as outlined above and is indicated by the signature of the authorized representative of the District and the Contractor in the spaces provided below. Contractor shall commence the aforesaid Services as provided herein and shall perform the same in accordance with the terms and conditions of the Agreement, which, except to the extent expressly altered or changed in this Work Authorization, remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Work Authorization to be executed the day and year first above written.

BOGGY CREEK IMPROVEMENT DISTRICT

Secretary

By: _____
Its: _____

BERMAN CONSTRUCTION, LLC

Witness

By: _____
Its: _____

Exhibit A: Proposal/Scope of Services



Date of proposal: February 12, 2024
Client: BCID- Boggy Creek Improvement District.
Project: Road Signage
Scope: New “Bike Lane Replacement Signage WO #57493

Berman proposes to furnish all labor and materials for the following scope of work:

- A. Provide materials and install new signage.**
 - a. Supply all materials, equipment and labor to replace (1) faded bike lane signs along Lake Nona Blvd – west down LNB. This includes the cost of fabrication, shipping and installation.

Note: Labor is based on work performed during normal business hours, Monday thru Friday. Cost is for two units.

Total Project Costs \$388.00

Estimated Time of Completion- Work will be completed in the most expedient time frame possible.

Payment Schedule: Upon Completion

Additional Notes:

Berman Construction State of Florida CGC # 1518721
All labor work is guaranteed for 1 year. Any work defects due to poor craftsmanship will be repaired at contractor’s expense. Any defect or poor craftsmanship of an installed product will be subject to manufacturer’s warranty. If any dispute arises as a result of this contract, then parties agree to seek binding arbitration as outlined by State of FL contracting policies. Berman Property Maintenance & Construction/ Berman Construction LLC is not responsible for damage to personal property as a result of accepted construction practices and such was not caused from negligent behavior or practices.

Revision and Approval Policy: Please contact our office upon receipt and approval of this contract, and any questions you might have. Due to availability and cost of material at this time, this proposal is only valid for 14 days, starting on the date of the proposal. Should you accept the terms outlined above please sign below and return. We can then schedule your services at that time. This proposal will become binding once executed by both parties.

Agent for owner (print name and signature)

Berman Property Maintenance & Construction
By, Katie Harmer, VP

BOGGY CREEK IMPROVEMENT DISTRICT

**District's Financial Position
and Budget to Actual YTD**
(provided under separate cover)